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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,543	06/14/2000	Stephen P. Forte	T7093.0004/P001	8081
24998	7590	08/24/2006	EXAMINER	
DICKSTEIN SHAPIRO LLP 1825 EYE STREET NW Washington, DC 20006-5403			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2614	
DATE MAILED: 08/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/593,543

Applicant(s)

FORTE, STEPHEN P.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on RCE and amendments filed 6/6/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,9-18,28,30-32 and 36-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,9-18,28,30-32 and 36-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### ETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Applicant's amendment filed 6/6/06 has been entered. Claims 1, 28, and 30, have been amended. No claims have been cancelled. No claims have been added. Claims 1-4, 9-18, 28, 30-32, and 36-38 are still pending, with claims 1, 28, and 30 being independent.

#### ***Claim Rejections - 35 USC § 103***

3. Claims 1-4, 10-18, 28, 30-32, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow et al. (U.S. Patent 5,206,901) in view of Brennan et al. (U.S. Patent 5,329,578).

Regarding claims 1-3, 31, and 32, Harlow et al. teaches a receiving module receiving a telephone call from a calling device (col. 2, lines 32-34); a processor ("switching service point") identifying a dialed telephone number ("*a destination directory number*" - see Abstract and col. 2, line 12) associated with the call, the processor using the dialed telephone number to retrieve from a storage medium (col. 2, lines 34-37) a first telephone number ("*primary telephone number*"), a second telephone number ("*secondary telephone number*"), the processor using at least one retrieved user preference ("*query the shared database returns routing numbers*") to dial the first

telephone number to form a first communication path between the processor and the first telephone number and dial the second telephone number to form a second different communication path between the processor and the second telephone number substantially simultaneously (col. 4, lines 35-54; col. 8, lines 32-41).

Harlow et al. does not teach the processor holds the call for a predetermined time until it is determined that a user has answered a device associated with one of the first and second telephone numbers, said processor authenticates the answered device before forming a completed circuit connection between the calling device and the answered device by connecting the calling device to the formed communication path connected to the answered device.

Brennan et al. teaches the processor holds the call for a predetermined time until it is determined that a user has answered a device associated with one of the first and second telephone numbers, said processor authenticates the answered device before forming a completed circuit connection between the calling device and the answered device by connecting the calling device to the formed communication path connected to the answered device. (col. 9, lines 14-17 - *where Brennan discussed authenticating/verifying at the destination before connecting the call*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Brennan into the teachings of Harlow system in order to make sure the call is routed to the desired/right person in a shared telephone system, and not to any person who answers the telephone call.

Regarding claim 4, Brennan et al. teaches the predetermined time corresponds to a number of telephone rings (col. 5, line 60 through col. 6, line 15).

Regarding claims 10 and 15, Harlow and Brennan do not teach the processor receives the call from a private branch exchange or public switched telephone network, and at least one destination is associated with a private branch exchange. Both calls origination and termination could be in the same or different switch, the same switch is the preferred method mentioned in claims 10 and 15.

Regarding claims 11, 12, 16, and 36, Harlow et al. teaches the call is routed to a cellular telephone, which can operate independently from the telecommunication device (Fig. 1, 136 and col. 4, lines 6-19).

Regarding claims 13, 14, 37, and 38, Brennan et al. teaches the call is routed to a destination associated with a pager or a personal digital assistant (col. 6, lines 42-46).

Regarding claims 17 and 18, Brennan et al. teaches the processor is connected to a local area network or the Internet and at least one user preference is input via the local area network or Internet (col. 13, lines 4-14 - *where Brennan discussed user accesses his or her profile via the service interface, hence via local area network or Internet*).

Claim 28 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Harlow et al. teaches a connect unit (Fig. 1, SSP 110); first communication device at an extension of the "communication network" associated with the user (Fig. 1, 111); second communication device to the user (Fig. 1, 112). Network 100 in Harlow has devices extensions off of the communication network (Fig. 1).

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Brennan et al. also teaches network 12 have devices extensions off of the communication network (Fig. 1a) and (col. 9, lines 8-11 and col. 10, lines 17-20 - *where Brennan discussed shared telephone system, hence extension is an extension of the telecommunications network*).

Claim 30 is rejected for the same reasons as discussed above with respect to claim 1.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow et al. (U.S. Patent 5,206,901) in view of Brennan et al. (U.S. Patent) and further in view of Swan (U.S. Patent (5,978,451)).

Regarding claim 9, Harlow and Brennan do not teach the processor prompts a caller of the telephone call with a menu of call destination options and the processor places the call to at least one destination telephone number in accordance with an option selected by the caller.

Swan teaches a caller of the telephone call was prompted with a menu of call destination options and the call is routed to at least one destination telephone number in accordance with an option selected by the caller (col. 7, line 63 through col. 8, line 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of prompting a caller of the telephone call with a menu of call destination options and route the call to at least one destination telephone number in accordance with an option selected by the caller, as taught by

Swan, in Harlow's and Brennan's systems thus making the system more efficient by allowing callers have more control of the desired destination.

### ***Response to Arguments***

5. Applicant's arguments filed 6/6/06 have been fully considered but they are not persuasive.

Applicant's arguments are addressed in the above claims rejection.

Applicant mainly argues that with regards to independent claims 1, 28, and 30, the claimed invention employs a multi-threaded architecture that does not connect the inbound call immediately to the remote devices and the caller in the claimed invention is not connected to the called party (i.e. remote device) until the claimed invention electronically switches the calls together to form a single circuit, and the combination of Harlow and Brennan fails to teach a telecommunication device that holds a call for a predetermined time until it is determined that a user has answered a call, authenticates the answered device before forming a completed circuit connection. Examiner respectfully disagrees. Harlow teaches the first inbound call to an elderly person and the second inbound call a relative or neighbor (col. 8, lines 36-39); and Brennan teaches a multi-threaded architecture (col. 9, lines 3-17) that does not connect the inbound call immediately to the remote devices until a user has answer a call, authenticates/verifies the answered device before connecting the call (col. 9, lines 14-17). There is more than one way to interpret how to complete a call. Examiner interprets a complete circuit is when a talk path established between a calling party and

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a called party or when the calling party fully converse to the called party. Brennan teaches that after verifying/authenticating, the caller is connected to the called party and talk path established.

With respect to dependent claim 9 (remarks page 11-13), the same response as discussed above with respect to claims 1, 28, and 30. Examiner cited Swan to fill the missing feature "a caller was prompted with a menu of call destination options and the call is routed to at least one destination telephone number in accordance with an option selected by the caller.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

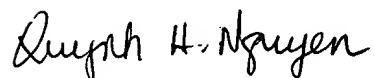
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should



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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Quynh H. Nguyen". The signature is written in a cursive, flowing style.

Quynh H. Nguyen  
Patent Examiner  
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